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EXAMINER

DURAN, ARTHUR D

ART UNIT

PAPER NUMBER

3622

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12/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/070,331	Applicant(s) KAIWA ET AL.	
	Examiner Arthur Duran	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 14-20 and 22-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 14-20, 22-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-11, 14-20, and 22-28 have been examined.

Response to Amendment

2. The Amendment filed on 11/20/07 is sufficient to overcome the prior rejection. A new 35 USC 103 rejection has been made.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11, 14-20, and 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart (6,259,405) in view of [Bide (20020052684 OR Treyz (6,587,835)].

Claims 1, 18, 23-28: Stewart discloses a location information service supporting method comprising:

a location information obtaining service in which a location information service supporting gateway situated between a first network including a mobile network and a second network obtains a location information indicating the location of a locating target person via the first network and a mobile device accompanied with the locating target person so that a service provider provides a service relating to the location of the locating target person; and

Art Unit: 3622

a location information sending service in which the location information service supporting gateway sends the location information to a destination designated by the service provider via the first or the second network (Figures 1a, 1c, 4, 5, 7, 8a).

Stewart discloses the above and further discloses wherein the location information obtaining service comprises: a step for determining an appropriate locating method for a mobile device accompanied with the locating target person; a step for ordering to locate the locating target person to a locating means which locates in a determined locating method; and a step for obtaining the location information sent from the locating means in response to the ordering (Figures 1c, 8b, 4).

Stewart does not explicitly disclose selecting at least one locating method from a plurality of locating methods or utilizing Differential GPS (DGPS).

However, [Bide ([20, 33]; claim 8) OR Treyz (col 23, line 34-col 24, line 5)] discloses selecting at least one locating method from a plurality of locating methods and also utilizing Differential GPS (DGPS) for more accurate locating.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that Stewart can utilize a preferred locating method or DGPS in order to locate the user. One would have been motivated to do this in order to better locate the user.

Claim 2: Stewart discloses a location information service supporting method of claim 1, wherein, in the location information sending service, the location information service supporting gateway sends the location information to the service provider (Figures 1a, 1c, 4, 5, 7, 8a, 8b, 9a, 9b).

Art Unit: 3622

Claim 3: Stewart discloses a location information service supporting method of claim 1, wherein the second network includes a network, and wherein, in the location information sending service, the location information service supporting gateway sends the location information to a destination designated by the service provider via this mobile network (Figure 1a; col 5, line 60-col 6, line 5).

Claim 4, 19: Stewart discloses a location information service supporting method of claim 1, wherein, on behalf of the service provider, the location information service supporting gateway certifies a locating target person or a person who receives a service (Figure 4, item 440).

Claim 5: Stewart discloses a location information service supporting method of claim 1, wherein, on behalf of the service provider, the location information service supporting gateway determines if locating a locating target person is possible (Figure 4, item 420).

Claims 6, 7, 20: Stewart discloses a location information service supporting method of claim 1, wherein, in the location information sending service, the location information service supporting gateway changes the format of the location information into a format suitable for a service that uses the location information, and sends to a destination designated by a service provider that provides this service. and sends to a service provider that provides this service (Figures 7, 8a, 8b, 9a, 9b).

Claim 15: Stewart discloses wherein the location information service supporting gateway carries out the location information obtaining service and the location information sending service on schedule determined in advance (col 11, lines 60-65; col 10, lines 8-25).

Art Unit: 3622

Claim 17: Stewart discloses a location information service supporting method of claim 1, wherein, in the location information sending service, the location information service supporting gateway checks the reaching of location information to a destination and sends an arrival notification to a mobile device of the locating target person (col 3, lines 20-37).

Claims 8, 9, 10, 11, 14, 22: Stewart discloses the above. Stewart further discloses the below features.

Claim 8: A location information service supporting method of claim 1, wherein the location information service supporting gateway collects a service charge for the location information obtaining service and the location information sending service from at least one of the service providers, the locating target person, or a target person of service by the service provider.

Claims 9, 22: A location information service supporting method of claim 1, wherein the location information service supporting gateway accumulates, for each of the service, the number of task processes incurred due to the provision of the service, and collects a service charge according to the number of the processes from at least one of the service providers that provide the service, the locating target person, or a target person of service by the service provider.

Or, pays the service charge to the manager of the locating means.

Claim 10: A location information service supporting method of claim 1, wherein at least one of the location information service supporting gateway or a communication carrier that provides a wireless communication service to the

Art Unit: 3622

mobile device collects a service charge for a service provided by the service provider on behalf of the service provider.

Claim 11: A location information service supporting method of claim 1, wherein the location information service supporting gateway provides a mobile device accompanying the locating target person, collects advertisement fee from the advertiser and pays to the service provider the advertisement fee as all or a part of the service charge for the service provided by the service provider.

Claim 14: A location information service supporting method of claim 12, wherein at least one of the location information service supporting gateway or a communication carrier that provides a wireless communication service to the mobile device collects, on behalf of a manager of the locating means, a locating fee due to a location by the locating means.

In regards to Claims 8, 9, 10, 11, 14, 22, Stewart discloses these features (Figure 13; col 29, lines 5-60; col 15, lines 45-55; col 15, lines 25-35).

Claim 16: The prior art discloses the above. Stewart does not explicitly disclose wherein the location information service supporting gateway periodically carries out the location information obtaining service to acquire a moving direction and a moving speed of the locating target person, and, in the location information sending service, sends the moving direction and the moving speed together with the location information.

However, Bide disclose these features ([8,11,19]; claims 2, 3). Also, note that Bide discloses presenting directional vector information. Hence, Bide discloses providing direction

Art Unit: 3622

information. And, by definition, a vector includes magnitude or speed/velocity information.

Hence, Bide discloses providing direction and speed information.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add further location/position/travel information to Stewart's location/position information. One would have been motivated to do this in order to better target the user based on position.

4. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable Stewart (6,259,405) in view of [Bide (20020052684 OR Treyz (6,587,835)] in view of [Steele (2002/0046084) OR DeLorme (5,948,040) OR Cox (7,047,019)]

Claim 16: Stewart discloses the above. Also, note that claim 16 was rejected in view of Bide above and also in view of the rejection following.

Stewart does not explicitly disclose wherein the location information service supporting gateway periodically carries out the location information obtaining service to acquire a moving direction and a moving speed of the locating target person, and, in the location information sending service, sends the moving direction and the moving speed together with the location information.

However, Steele ([120]) OR DeLorme (col 10, lines 35-59) OR Cox (col 5, line 65-col 6, line 10, claim 12) disclose these features.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add further location/position/travel information to Stewart's

Art Unit: 3622

location/position information . One would have been motivated to do this in order to better target the user based on position.

Response to Arguments

5. Applicant's arguments with respect to claims have been considered but are moot in view of the ground(s) of rejection above.

Conclusion

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a) Owensby, Sheynblatt, and Hose disclose very relevant features;
- b) Cox (7,047,019) discloses a gateway for wireless communications and advertising:

“(11) The GMLC 34 determines the geographical location of the mobile subscriber unit 28 and is equipped with a processor 48 coupled to a memory 50. The processor 48 may be implemented using any programmable processing device, such as, for example, a personal computer that runs a Linux.RTM. or Microsoft Windows NT.RTM. operating system, or a Sun.RTM. Unix work station that runs a Solaris.RTM. operating system. It should be noted that "gateway mobile location center" is a term of art that refers to a device that identifies the location of mobile subscriber units within a wireless communication system in accordance with a newly proposed addition to the Global Standard for Mobile Communications (GSM) that has been proposed to accommodate location-based services such as E911 and location-based advertising services. As such, the process by which the GMLC 34 performs location identification is not discussed further herein. For additional information concerning the location identification process and the equipment disposed within a conventional gateway mobile location center, the reader is referred to GSM proposed Standard No. T1P1.5/GSM 03.71. It should further be noted that the algorithm by which the GMLC 34 identifies the location of the mobile subscriber unit 28 may include any of the presently known and future methods available for location determination in a wireless communication environment, and is not intended to be limited solely to those methods or algorithms proposed in the aforementioned GSM standard” .

Art Unit: 3622

c Treyz (6,587,835) discloses networks and location based targeting;

d DeLorme (5,948,040) discloses speed and direction travel (col 75, lines 9-25).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (571) 272-6718. The examiner can normally be reached on Mon- Fri, 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Arthur Duran
Primary Examiner
Art Unit 3622

11/27/2007